

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

**GREGORY T. DEAN and
DONALD J. FOWLER,**

Defendants.

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17-CV-139 (GHW)

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS FROM DEFENDANT GREGORY T. DEAN**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff Securities and Exchange Commission requests that defendant Gregory T. Dean ("Dean," "you," or "your") produce the following documents within thirty (30) days of the date of this request.

INSTRUCTIONS

1. If any responsive documents are withheld for any reason, including any applicable privilege, please comply with Local Civil Rule 26.2, which is incorporated herein.

2. If any document sought by this Request once was, but no longer is, within Dean's possession, control or custody, please identify each such document and its present or last known custodian, and state: (a) the reason why the document is not being produced; and (b) the date of the loss, destruction, discarding, theft or other disposal of the document.

3. Unless otherwise indicated, this Request seeks documents from January 1, 2007 through the present.

4. This Request is ongoing in nature, and responsive documents should be produced as they are found or created on an ongoing basis.

DEFINITIONS

1. The Uniform Definitions in Discovery Requests set forth in Local Civil Rule 26.3 apply to these Requests, and are incorporated herein.
2. “Customers” shall mean the persons and entities listed in the Attachment, including any person or entity acting on behalf of such Customer.
3. “JDN” shall mean J.D. Nicholas & Associates, Inc., and all of its parents, subsidiaries, divisions, affiliates, partners, predecessors, successors, officers, directors, employees, agents, accountants, attorneys, registered representatives, independent contractors and all persons acting, or that have acted, on its behalf, as well as aliases, code names, trade names, or business names used by, or formerly used by, any of the foregoing.
4. “Outermost Intuition” shall mean Outermost Intuition LLC, and all of its parents, subsidiaries, divisions, affiliates, partners, predecessors, successors, officers, directors, employees, agents, accountants, attorneys, registered representatives, independent contractors and all persons acting, or that have acted, on its behalf, as well as aliases, code names, trade names, or business names used by, or formerly used by, any of the foregoing.

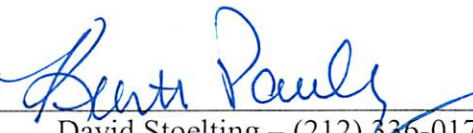
DOCUMENTS REQUESTED

1. All documents concerning your investment or trading strategy.
2. All documents concerning: (a) short-term or frequent trading strategies; (b) speculative trading; (c) suitability; (d) in-and-out trading; or (e) churning.
3. All documents concerning the impact of commissions and fees on the profitability of trading strategies.
4. All documents concerning due diligence, research, or reasonable basis relating to your investment or trading strategy.

5. All documents concerning your compensation at JDN.
6. All documents concerning Outermost Intuition.
7. All documents concerning any brokerage account in which you have an interest.
8. All documents concerning the Customers.
9. All documents concerning any communications between any Customer and JDN.
10. All documents concerning the investment or trading strategy used in the Customers' JDN accounts.
11. All documents concerning trade recommendations made to the Customers, including but not limited to the reasonable basis for such recommendations.
12. All documents concerning fees charged to the Customers, including but not limited to commissions, markups, markdowns, margin interest, postage, and firm commissions.
13. All documents concerning compliance or supervisory policies at JDN.
14. All documents concerning JDN's supervision of you.
15. All documents concerning any written, unwritten, formal or informal complaint by any customer concerning you, including but not limited to the Customers.

Dated: New York, New York
April 28, 2017

SECURITIES AND EXCHANGE COMMISSION

By 
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(212) 336-0174
Attorneys for Plaintiff

TO: Liam O'Brien
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New York, NY 10016

ATTACHMENT

	Account Number	Customer
1	-5809	KENNETH J. BAYER
2	-4186	EUGENE F. BERNARDO
3	-2943	ALBERT CLAYCOMB
4	-5266	LANE CLIZBE
5	-1375	LOUIS A. DELLORFANO
6	-0434	G. ALLEN DEUSCHLE
7	-8769	STEVE B. DIMERCURIO
8	-4430	HECTOR ESTRADA
9	-3063	JEFFREY FUNK
10	-2876	DONNY GOINS
11	-0552	STEVE HELLWIG
12	-8154	MICHAEL KLUMPP
13	-2748	BOB KRUEGER
14	-6850	DR. JAMES A. MCCOY
15	-1746	CLAY B. MILLER
16	-4487	TONY N. NWACHAN
17	-2731	FRANK J. PHILLIPS
18	-5523	BOBBY PILKINGTON
19	-8082	AL RIEDSTRA
20	-2702	CHRIS A. SCHERMACHER
21	-4069	PETER SKRNA
22	-7839	CHARLES A. UNIACKE
23	-6769	JOSE LUIS VAZQUEZ
24	-9634	ROBERT & GLENA WEATHERS JTWROS
25	-5893	GARY J. WENDORFF
26	-7268	LEONARD F. WESTER
27	-1096	DONALD WOMELDORPH JR.